

REMARKS/ARGUMENTS

Claims 1-14 and 16-36 remain in the application. Claim 15 and 37 have been canceled without prejudice to the Applicant's right to resubmit these claims in one or more continuation applications. New Claims 38-40 have been added. Claims 1-4, 6, 9, 13, 16-20, 22, 26-35 have been amended. As the total number of claims in this application now exceeds the number of claims in the application by 1, an extra claim fee of \$9 is enclosed herewith.

The Examiner objected to Claim 33 due to possible confusion between the limitations "key" and "another key". Claim 33 has been amended by replacing these limitations with "delivery access key" and "item access key". The Applicant respectfully submits that this amendment avoids any potential for confusion.

The Examiner has rejected Claims 3 and 20-27 as indefinite under 35 U.S.C.112.

Claim 3 has been amended by deleting the limitation "a network" which was objected to by the Examiner. Claim 20 has been amended by replacing the limitation "the delivery" with "placing step". Claims 26 and 27 have been amended by replacing "said identification" with "parcel identification" and "storage locker identification". Both of these limitations have antecedent basis in Claim 21. Accordingly, the applicant respectfully submits that Claims 3 and 20-27 are now in compliance with 35 U.S.C. 112.

The Examiner has rejected Claims 1-3, 5-17, 19, 33, 35, and 36 under 35 U.S.C. 102(e) as being anticipated by US Publication No. 2001/0045449 (Shannon). The Applicant respectfully request reconsideration of this objection for the reasons set out below.

Independent Claims 1, 16, and 35 have all been amended to include the limitation that the storage locker is opened by the delivery agent using a delivery access key. After the delivery agent places the parcel in the storage locker, the key required to access the storage locker is changed from the delivery access key to an item access key, which is different from the delivery access key. Until the delivery access key is changed to the item access key, the consumer cannot access the storage locker. The consumer retrieves the parcel from the storage locker using the item access key. The invention claimed in Claims 1, 16, and 35 (as amended) provides the advantage of improved security by ensuring that the consumer cannot access the storage locker until the delivery agent (using the delivery access key) has placed the parcel in the storage locker, and thereafter, only the consumer can access the storage locker using the item access key.

On the other hand, Shannon discloses a storage locker for temporary storage of delivered goods received by a recipient at its home or office. Shannon discloses providing a temporary delivery access key to a delivery agent, which is disabled after the agent places the parcel in the storage locker. However, Shannon does not disclose changing the delivery access key to an item access key. Instead, Shannon discloses that the recipient either uses the same delivery access key or a permanent master access key to retrieve the parcel from the storage locker. Accordingly, Shannon discloses a system where the key is either not changed or two different keys coexist which can open the storage locker at any one time. Shannon does not disclose the invention claimed in Claims 1, 16, and 35, where only the delivery access key or the item access key can open the storage locker at any one time. As discussed above, Claims 1, 16, and 35 include the limitation that, after the parcel is placed in the storage locker by the delivery agent, the one key which opens the storage locker is changed from the delivery access key to the item access key.

In light of the above, the Applicant respectfully submits that the invention claimed in Claims 1, 16, and 35 is not anticipated by Shannon.

The Examiner has rejected a number of claims in this application as being anticipated by US Patent No. 6,344,796 (Ogilvie). Due to a typographical error in paragraph 19 of the Office Action, it is not clear to the Applicant precisely which claims are being rejected by the Examiner. In view of the Examiner's comments in paragraph 20-26 of the Office Action, the Applicant will assume, for the purposes of this Response, that the Examiner has rejected Claims 16, 17, 19-26, 28-33, 34, and 37. The Applicant respectfully requests reconsideration of this rejection for the reasons set out below.

In addition to the amendments discussed above, independent Claims 16 and 34 have been amended by inserting a limitation that the consumer selects the depot to which the parcel is delivered, and the parcel is delivered to a storage locker located in the depot selected by the consumer (see pg. 7, lines 8-9 and pg. 12, lines 1-2). The inventions claimed in Claims 16 and 34 provide the advantage of tailoring the parcel delivery to the preference and convenience of the consumer.

Ogilvie discloses a system and method of package delivery that is focused on logistical efficiency, rather than convenience for the recipient or the consumer. Accordingly, Ogilvie discloses the delivery agent delivering the parcel to a depot selected by the provider of the depot (see col. 6, lines 18-21), rather than the depot selected by the recipient (referred to as "consumer" in the subject application). Accordingly, Ogilvie does not anticipate the present invention claimed in Claims 16 and 34.

The Examiner has rejected Claims 4 and 18 as obvious over Shannon in view of US Patent No. 6,330,816 (O'Connor). The Applicant respectfully requests reconsideration of this rejection for the reasons set out below.

Claims 4 and 18 depend from Claims 1 and 16, respectively. These claims have been amended as discussed above. O'Connor does not disclose changing a delivery access key to an item access key upon delivery to the storage locker, nor does O'Connor disclose the consumer selecting the depot for delivery. Accordingly, neither Shannon nor O'Connor, alone or in combination, disclose the present invention as claimed in Claims 1 and 16.

Dependent claims 2-4, 6, 9, 13, 17-20, 22, 26-33 have been amended to more clearly claim the invention. New dependent Claims 38-40 have been added to better claim the invention.

In light of the above, the applicant respectfully submits that the independent Claims 1, 16, 34, and 35 are allowable, and dependent claims 2-14, 17-33, 36, 38-40 are also allowable because they depend from allowable base claims.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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Attachments